

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

CHEN, GUANG-PEI ET AL.

ART UNIT: 1612

EXAMINER: QAZI, SABIHA NAIM

INTERNATIONAL APPLICATION NO: PCT/EP03/06195

FILED: JUNE 12, 2003

U.S. APPLICATION NO: 10/517874

35 USC §371 DATE: DECEMBER 13, 2004

FOR: CALCIUM SALTS OF INDOLE DERIVED STATINS

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

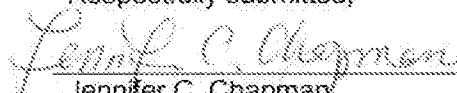
NOTICE OF APPEAL

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Office Action dated April 1, 2009 finally rejecting claims 1, 7, 8, 13 and 14.

- Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$540 for payment of the appeal fee. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.
- The appeal fee was paid in a previous appeal herein. The examiner re-opened prosecution prior to any decision by the Board of Patent Appeals and Interferences. No fee is now due.
- Enclosed is a Petition for Extension of Time.

Respectfully submitted,



Jennifer C. Chapman
Attorney for Applicant
Reg. No. 47,487

Novartis Pharmaceuticals Corporation
One Health Plaza, Bldg. 101
East Hanover, NJ 07936
(862) 778-4120

Date: *September 29, 2009*